

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

H&R BLOCK, INC. and HRB  
INNOVATIONS, INC.,

Plaintiffs,

v.

BLOCK, INC.,

Defendant.

Case No. 4:21-cv-00913-NKL

**ORAL ARGUMENT REQUESTED**

**DEFENDANT BLOCK, INC.'S MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT PURSUANT TO RULE 12(b)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Block, Inc. ("Block") respectfully moves this Court to dismiss, with prejudice, Plaintiffs' Complaint for failure to state trademark infringement and unfair competition claims under Sections 32 and 43(a) of the Lanham Act, trademark infringement and unfair competition claims under Missouri common law, and a claim for injunctive relief under Mo. Stat § 417.061.

In support of this Motion, Block submits the Suggestions in Support of the Motion and the Declaration of Margret Caruso. Block respectfully requests an oral hearing on this Motion pursuant to Local Rule 7(e) at a date and time convenient for the Court.

Dated: January 7, 2022

Respectfully submitted:

By: /s/ David A. Jermann

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**CERTIFICATE OF SERVICE**

This is to certify that on Friday, January 7, 2022, a true and accurate copy of the above and foregoing was e-filed with the Court using the CM/ECF system which sent notification to all parties entitled to service.

By: /s/ David A. Jermann  
*Attorney for Defendant*